REMARKS

Claim 1 had been amended to incorporate features of Claims 15-16, 18. Accordingly, Claims 15-16, 18 have been canceled without prejudice and Claims 17, 19-20 have been amended to depend from Claim 1. Claim 14 has been amended for consistency with Claim 1. Claims 35-37 have been amended similarly to Claim 1.

Claim 22 has been amended. Support for the amendment of Claim 22 appears in the specification at least at paragraphs [0097]-[0098].

Claims 23-24 have been amended to depend from Claim 1. Further, Claims 4, 11-12 have been canceled without prejudice to expedite prosecution.

Request for Examiner Interview.

Should the Examiner be of the opinion that this Amendment does not place the Application in a condition for allowance, Applicant hereby requests an Examiner Interview prior to the issuance of the next communication from the USPTO to expedite prosecution.

The Claim objections have been obviated.

Claims 4, 11-12 have been canceled without prejudice to expedite prosecution thus obviating the objection to Claims 4, 11-12.

Claim 35 satisfies 35 U.S.C. 101.

Claim 35 has been amended and now recites:

> A system comprising:
> a **memory**; … (Emphasis added.)

Accordingly, Claim 35 is not directed to software per se but includes hardware. Accordingly, Claim 35 satisfies 35 U.S.C. 101.

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

For at least the above reasons, Applicant respectfully request reconsideration and withdrawal of this rejection.

Claims 1-2, 5, 14, 17, 19-24, 35-37 are patentable over Van Dyke et al. (6,412,070) in view of Ho (5,615,373) in further view of Krishnaswami et al. (6,618,735).

Regarding Claim 1, the Examiner admits:

> Van Dyke **does not explicitly disclose** … providing access to said object **comprises saving at least a part of said object**. (Office Action, page 4, emphasis added.)

To cure this glaring deficiency in Van Dyke et al., the Examiner further asserts:

> Further, Krish teaches providing access to an object and saving at least a part of said object (col 5, lines 29-37). … At the time applicant's invention was made, it would have been obvious to incorporate Krish's teachings within Van Dyke and Ho's combination invention according to the limitations recited in claim 1 such that upon determination that said attempter is authorized to access said object, said method further comprises saving at least part of said object. **One skilled would have been motivated to save at least a portion of said object as per Krish's teachings because it would allow Van Dyke's invention to undo file changes if the application/user that made the attempt made an invalid file change (Krish: col 5, lines 51-59). Note that a person of ordinary skill would understand that just because an application/user is authorized to access an object does not necessarily mean that any change that is made to the object is valid.** Krish's teachings would allow for a way to undo invalid changes, which would provide for better system security. (Office Action, pages 4-5, emphasis added.)

The Examiner's statement is respectfully traversed. Van Dyke et al. teaches that control access rights define how a user may change an object. Accordingly, Van Dyke et al. teaches that the control access rights prevent invalid changes

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

to an object from occurring at all, and thus teaches away from saving at least a part of the object to undo invalid file changes. Accordingly, one of skill in the art would not modify Van Dyke et al. with Krishnaswami et al. as asserted by the Examiner.

Specifically, Van Dyke et al. teaches in reference to step 325 in FIG. 6 "Authorize user requests for operating on objects based on corresponding control access rights". In the related description, Van Dyke et al. teaches:

> In step 325, operating system 120 authorizes access requests 150 based on control rights created by users 145 and applications 140. More specifically, when determining **whether to allow application 140 to operate on a requested object 125**, operating system 120 retrieves the security descriptor for the requested object 125. Next, operating system 120 examines the access control list (ACL) stored within the retrieved security descriptor. Each access control entry (ACE) of the ACL is examined for a trusted user SID 205 that matches the security ID of the requesting application 140. For each match, operating system 120 compares the matching ACE's object GUID 220 with the desired control right GUID specified by Application 140. If the ACE's object GUID 220 matches, then operating system 120 grants access request 150. According to the invention, applications 140 are able to define unique control access rights **and evaluate whether a requesting user 145 has the right to control the requested object 125 based on the defined control access rights**. (Col. 8, line 55 to col. 9, line 6, emphasis added.)
>
> As used herein, control access rights do not control access to data within objects 125, but **control access to an operation , or action, to be performed on** or by **object 125**. (Col. 5, lines 41-44, emphasis added.)

Further, Claim 1 has been amended to incorporate the features of Claim 18. Accordingly, the rejection of Claim 18 shall be discussed as applied to amended Claim 1.

Regarding Claim 18, the Examiner states:

> Krish further discloses wherein upon determination that said object has changed, said method further

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

comprising determining **if said attempter is authorized to change said object** (col 5, lines 51-56). (Office Action, page 7, emphasis added.)

The Examiner's statement is respectfully traversed. At Col. 5, lines 51-56 as cited by the Examiner, Krishnaswami et al. teaches:

> When the SFP service 80 receives a notice from the Vxd 82 that a protected system file has been changed, it checks whether the change should be allowed. In the case that the original file is overwritten with a new file, the SFP service determines **whether the new file is valid**. (Emphasis added.)

More specifically, Krishnaswami et al. teaches:

> When the SFP service 80 receives a message from the Vxd 82 that **a protected file has been modified**, it queries the SFP database 110 for all entries therein that have the same file name as the one modified. The SFP service then determines whether the **"new file" is valid** based on the information from the database. **The new file is deemed valid if** (1) it has the same version number as the highest version number of the entries for that file in the SFP database, and (2) it has the correct hash value for that version. (Col. 7, lines 9-17, emphasis added.)

Accordingly, Krishnaswami et al. teaches that a determination is made that a new file is valid. The Examiner has failed to callout where Van Dyke et al., Krishnaswami et al., alone or in combination, teach or suggest "determining if said attempter is authorized to change said object" as asserted by the Examiner.

Ho does not cure the glaring deficiencies in Van Dyke et al. and Krishnaswami et al.

For at least the above reasons, Van Dyke et al. in view of Ho in further view of Krishnaswami et al. does not teach or suggest:

A method comprising:

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

> stalling an attempt to reference an object;
> determining whether an attempter that originated said attempt is authorized to access said object,
> **wherein upon a determination that said attempter is authorized to access said object, said method further comprising saving at least part of said object;**
> stalling an attempt to release said object; and
> determining whether said object has changed,
> **wherein upon a determination that said object has changed, said method further comprising determining if said attempter is authorized to change said object,**

as recited in amended Claim 1, emphasis added. Accordingly, Claim 1 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Claims 2, 5, 14, 17, 19-24, which depend from Claim 1, are allowable for at least the same reasons as Claim 1.

Claims 35-37 are allowable for reasons similar to Claim 1.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim 3 is patentable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Vossen et al. (6,026,402).

As set forth above, Claim 1 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Claim 3, which depends from Claim 1, is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. for at least the same reasons as Claim 1.

Vossen et al. does not cure the previously described deficiencies in Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Accordingly, Claim 3 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Vossen et al.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

Claims 6-8 are patentable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Hollander et al. (6,412,071).

As set forth above, Claim 1 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Claims 6-8, which depend from Claim 1, are allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. for at least the same reasons as Claim 1.

Hollander et al. does not cure the previously described deficiencies in Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Accordingly, Claims 6-8 are allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Hollander et al.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 9-10, 13 are patentable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Dabak et al. ("Hooking Windows NT System Services").

As set forth above, Claim 1 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Claims 9-10, 13, which depend from Claim 1, are allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. for at least the same reasons as Claim 1.

Dabak et al. does not cure the previously described deficiencies in Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Accordingly, Claims 9-10, 13 are allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Dabak et al.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim 25 is patentable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Treadwell, III et al. (5,845,280).

As set forth above, Claim 1 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Claim

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888

25, which depends from Claim 1, is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. for at least the same reasons as Claim 1.

Treadwell, III et al. does not cure the previously described deficiencies in Van Dyke et al. in view of Ho in further view of Krishnaswami et al. Accordingly, Claim 25 is allowable over Van Dyke et al. in view of Ho in further view of Krishnaswami et al. in further view of Treadwell, III et al.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Conclusion.

Claims 1-3, 5-10, 13-14, 17, 19-25, 35-37 are pending in the application. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 11, 2008.

Attorney for Applicant(s)

August 11, 2008
Date of Signature

Respectfully submitted,

Serge J. Hodgson
Attorney for Applicant(s)
Reg. No. 40,017
Tel.: (831) 655-0880

GUNNISON, McKAY & HODGSON, L.L.P.
Garden West Office Plaza
1900 Garden Road, Suite 220
Monterey, CA 93940
(831) 655-0880
Fax (831) 655-0888